

of the conduct, which is not ever to suggest that we condone perjury or obstruction of justice.

We all recognize, if those offenses have been committed, they are worth pursuing. But one only need look at the testimony and the professional prosecutors who testified before the Judiciary Committee to get a sense of what the world of professional prosecutors would do faced with these kinds of allegations in this kind of setting, and that really is the key: How many prosecutors would ever reach into the middle of an ongoing civil litigation and bring these kinds of charges?

The proportionality, obviously, has other implications and certainly goes right to the heart of the role played by this body. That is, what is the proportional response to whatever you think of the President as a man, whatever you think of his conduct. Even if you should conclude—although we do not believe you should—that he violated the law in some respect, what is the constitutionally proportional response to your judgment. And there you go right back to the essence of what the framers were talking about, which is responding with the ultimate sanction only when the ultimate problem is posed to you.

I suggest, as I have on too many occasions, I fear, that if that is the proportionality question you are asking—and all must at some point ask that question—the answer has to be clear, that no one ever thought in 1787 and, I suggest to you, in the intervening 212 years that it would be a proportional response to the conduct alleged here to remove a President.

The CHIEF JUSTICE. The Chair recognizes the majority leader.

ORDER OF PROCEDURE

Mr. LOTT. Mr. Chief Justice, I believe we have reached a point where we can take a break. I think we have had responses to approximately 50 questions today. Now we will have a chance to assess, on all sides, what additional questions might be needed to be asked tomorrow. I remind my colleagues that we are scheduled to resume at 10 a.m. on Saturday.

NOTICE OF INTENT TO SUSPEND THE RULES OF THE SENATE BY SENATOR HUTCHISON, SENATOR SPECTER, SENATOR LIEBERMAN, SENATOR HAGEL, SENATOR COLLINS, AND SENATOR SNOWE

In accordance with Rule V of the Standing Rules of the Senate, I (for myself and for Mr. SPECTER, Mr. LIEBERMAN, Mr. HAGEL, Ms. COLLINS, and Ms. SNOWE) hereby give notice in writing that it is my intention to move to suspend the following portions of the *Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials* for the final deliberation on the articles of impeachment of the trial of President William Jefferson Clinton:

(1) The following portion of Rule XX: “, unless the Senate shall direct the doors to be closed while deliberating upon its decisions. A motion to close the doors may be acted upon without objection, or, if objection is heard, the motion shall be voted on without debate by the yeas and nays, which shall be entered on the Record”; and

(2) In Rule XXIV, the phrases “without debate”, “except when the doors shall be closed for deliberation, and in that case” and “, to be had without debate”.

ADJOURNMENT

Mr. LOTT. If there is nothing further, I move we adjourn, Mr. Chief Justice.

The motion was agreed to; and at 5:49 p.m., the Senate, sitting as a Court of Impeachment, adjourned until Saturday, January 23, 1999, at 10 a.m.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the majority leader.

MEASURES PLACED ON THE CALENDAR—S. 254, S. 269, S. 270, AND S. 271

Mr. LOTT. Mr. President, there are four bills at the desk that are due for their second reading. Therefore, I ask unanimous consent that the bills be considered read a second time and placed on the Calendar, and that the reading be shown separately in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bills placed on the Calendar are as follows:

S. 254, a bill to reduce violent juvenile crime, promote accountability by and rehabilitation of juvenile criminals, punish and deter violent gang crime, and for other purposes.

S. 269, a bill to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

S. 270, a bill to improve pay and retirement equity for members of the Armed Forces, and for other purposes.

S. 271, a bill to provide for education flexibility partnerships.

UNANIMOUS-CONSENT AGREEMENT—NOMINATIONS OF INSPECTORS GENERAL

Mr. LOTT. Mr. President, I ask unanimous consent that the nominations to the Office of Inspector General, excepting the Office of Inspector of the Central Intelligence Agency, be referred in each case to the committee having substantive jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 days. I finally ask unanimous consent that if not reported after that 20-day period, the nomination be automatically discharged and placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time and placed on the calendar:

S. 254. A bill to reduce violent juvenile crime, promote accountability by rehabilita-

tion of juvenile criminals, punish and deter violent gang crime, and for other purposes.

S. 269. A bill to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

S. 270. A bill to improve pay and retirement equity for members of the Armed Forces, and for other purposes.

S. 271. A bill to provide for education flexibility partnerships.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-857. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Increase In Cash-Out Limit Under Sections 411(a)(7), 411(a)(11), and 417(e)(1) for Qualified Retirement Plans” (RIN1545-AW58) received on December 18, 1998; to the Committee on Finance.

EC-858. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Exemption of Returns and Claims for Refund, Credit or Abatement; Determination of Correct Tax Liability” (Rev. Proc. 98-62) received on December 18, 1998; to the Committee on Finance.

EC-859. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Examination of Returns and Claims for Refund, Credit or Abatement; Determination of Correct Tax Liability” (Rev. Proc. 98-64) received on December 18, 1998; to the Committee on Finance.

EC-860. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Rulings and Determination Letters” (Rev. Proc. 99-3) received on December 21, 1998; to the Committee on Finance.

EC-861. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Modification of Rev. Proc. 65-17, 1965-1 C.B. 833” (Announcement 99-1) received on December 21, 1998; to the Committee on Finance.

EC-862. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property” (Rev. Rul. 99-2) received on December 21, 1998; to the Committee on Finance.

EC-863. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Optional Standard Mileage Rates for Employees, Self-employed Individuals, and Other Taxpayers Used in Computing Deductible Costs” (Announcement 99-7) received on December 29, 1998; to the Committee on Finance.

EC-864. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule